



In the Matter of Paddock Lane,  
West Butterwick, Humberside

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DECISION

This reference relates to the question of the ownership of the land described above being the land comprised in the Land Section of Register Unit No. CL 89(L) in the Register of Common Land maintained by the Humberside County Council of which no person is registered under section 4 of the Commons Registration Act 1965 as the owner.

Following upon the public notice of this reference West Butterwick Parish Council claimed to be the freehold owner of the land in question and no other person claimed to have information as to its ownership.

I held a hearing for the purpose of inquiring into the question of the ownership of the land at Brigg on 23 October 1979.

At the hearing, Mr C L Stevenson, Solicitor, appeared on behalf of the Parish Council, and two members of the Parish Council, Mr John Cockin and Mr Albert Threadgold gave evidence. The Council's records show that rent was received for the land by the Parish Council during the period from 1897 to 1927, since when there has been no letting nor any activity by the Council in regard to the land. This at present provides access to adjacent farm land and walking facilities: before the last war a section of it was stored by the County Council to provide better access to some newly built houses.

On this evidence I am satisfied that the Parish Council is the owner of the land, and I shall accordingly direct the Humberside County Council, as registration authority, to register the Parish Council as the owner of the land under section 8(2) of the Act of 1965.

I am required by regulation 30(1) of the Commons Commissioners Regulations 1971 to explain that a person aggrieved by this decision as being erroneous in point of law may, within 6 weeks from the date on which notice of the decision is sent to him, require me to state a case for the decision of the High Court.

Dated

31 October

1979

*L. J. Morris Smith*

Commons Commissioner